

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DENNIS SMITH,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 98-639-JJF
)	
EX-POLICE CHIEF GUY D.)	
BAYNARD,)	
)	
Defendants.)	

DEFENDANT'S PROPOSED SPECIAL FORM OF VERDICT

THE JURY MUST UNANIMOUSLY AGREE ON THE ANSWERS TO ALL OF THE QUESTIONS. THE COMPLETED SPECIAL VERDICT FORM MUST BE SIGNED AND DATED BY THE FOREPERSON.

1. Do you find that Defendant Guy D. Baynard did not have probable cause to arrest Plaintiff Dennis Smith for speeding and failure to stop on command on December 14, 1996?

YES _____ NO _____

2. Do you find that in obtaining a warrant for the arrest of Plaintiff Dennis Smith on the charge of falsely reporting an incident defendant Guy D. Baynard made deliberate or reckless false statement or omissions that were material or necessary to the finding of probable cause for the arrest warrant?

YES _____ NO _____

IF YOU HAVE ANSWERED "NO" TO BOTH QUESTIONS 1 AND 2 YOU HAVE FOUND IN FAVOR OF DEFENDANT GUY D. BAYNARD ON ALL OF PLAINTIFF'S CLAIMS. GO NO FURTHER. IF YOU HAVE ANSWERED YES TO EITHER QUESTION 1 OR QUESTION 2, ANSWER QUESTION 3.

3. Do you believe that Plaintiff Dennis Smith has suffered actual damages as a result of the actions of Defendant Guy D. Baynard?

YES _____ NO _____

IF YOU HAVE ANSWERED "YES" TO QUESTION 3, PROCEED TO QUESTION 4. IF YOU HAVE ANSWERED NO TO QUESTION 3 GO NO FURTHER. YOUR AWARD WILL BE \$1.00 IN NOMINAL DAMAGES.

4. State, in monetary terms, the amount of compensatory damages that you find Plaintiff Dennis Smith suffered as a result of the actions of Defendant Guy D. Baynard:

\$ _____

Respectfully submitted,

Date: _____

FOREPERSON

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